GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Panchayat Raj & Rural Development Department - Allegations on corruption of demand and acceptance of bribe by Sri Basati Venkateswarlu @ Venkateswara Rao, Extension Officer (PR&RD), O/o. the MP.D.O., Tiruvuru (M), Krishna District – Trapped on 01.3.2008 – Placed under suspension – Prosecution orders sanctioned - Departmental proceeding under Rule 20 of APCS (CC&A) Rules, 1991 initiated – W.S.D. submitted – Reinstated into service, pending further action - Individual acquitted in C.C. No.05/2009 – Further action dropped – Orders – Issued.

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5. Government, in the reference 6th read above, requested the Commissioner, PR&RE., to reinstate the incumbent Sri Basati Venkateswarlu, E.O. (PR&RD, into service pending prosecution against him and also to intimate the stage of the departmental action against him. The Commissioner, PR&RE, vide his Procds. No.8/CPR/E3.Vig/2008, dated 27.7.2010 reinstated individual into service and allotted to East Godavari District for posting as Extension Officer (PR&RD), pending prosecution.

6. In the reference 7th read above, the Director General, A.C.B., Vijayawada has informed that the Special Judge for SPE & ACB Cases-cum-III Addl. District & Sessions Judge, Vijayawada pronounced judgment on 06.9.2017 in C.C. No.05/2009 and acquitted the A.O., Sri Basati Venakateswarlu @ Venkateswara Rao, Extension Officer, O/o. MPDO., Tiruvuru, Krishna District and also informed that the Bureau is of the opinion that it is not a fit case to file an appeal in the High Court against the acquittal judgment and therefore requested the Government to issue orders in the matter.

7. The Hon'ble the Special Judge for SPE & ACB Cases-cum-III Addl. District & Sessions Judge, Vijayawada in his above judgment finally observed and ordered as follows :-

> *"In the facts and circumstances, the evidence is highly suspicious and even if the plea of the accused is doubtful, the Prosecution should prove its case beyond reasonable doubt. However, in the circumstances, the evidence cannot be accepted and the prosecution failed to prove its case beyond reasonable doubt and the accused is entitled for acquittal.*
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> *In the result, Accused is found not guilty of offence charged U/Sec.7 and 13 (1) (d) r/w.13 (2) of P.C. Act and accordingly, he is acquitted U/Sec.235 (i) of Cr.P.C".*

8. Regarding disciplinary action, the Commissioner, PR&RD., in his letter 8th read above, has furnished a copy of the Charges framed vide their Office Memo., dated 18.12.2008, against said Sri B.Venkateshwarlu, E.O. (PR&RD), Krishna under Rule 20 of APCS (CC&A) Rules, 1991 and explanation submitted by the individual thereon, and requested the Government, for taking necessary action in the matter.

9. The Commissioner, PR&RD., has framed Charge Memo. No.8/CPR&RE/E3.Vig/2008, dated 18.12.2008, that he has not submitted APRs during his service period, thus he has exhibited lack of integrity, devotion to duty and conduct, thereby contravened Rule 9 (7) of APCS (Conduct) Rules, 1964. For the charge, in his explanation, dated 21.01.2009, Sri Basati Venkateswarlu, Extension Officer, has stated that he is ignorant of submission of annual property statement (Movable / Immovable properties) to the competent authorities, and further stated that he has not purchased any properties. He has further stated that, however, as per search list in his house, on 01.3.2008, in Cr. No.RCT-ACB/Vijayawada/08, the ACB officials has certified that he has no properties. He has therefore requested to condone his mistake.

10. In his representation 9th read above, Sri B.Venkateswarlu, has stated that on his reinstatement into service, he was finally worked as Extension Officer (PR&RD), Jangareddygudem (M), West Godavari District and retired from Government Service on 30.9.2017 on attaining the age of superannuation and therefore requested the Government to drop further action against him, considering the orders of the Special Judge for SPE & ACB Cases, Vijayawada and his explanation submitted in the Departmental proceedings initiated against him, in the matter, and release all his pensionary benefits.

(P.TO.)

11. After examination of the entire matter, Government observed that the Hon'ble the Special Judge for SPE & ACB Cases-cum-III Addl. District & Sessions Judge, Vijayawada has pronounced judgment in C.C. No.05/2009 on 06.9.2017 and acquitted the A.O., Sri B.Venkateswarlu @ Venkateswara Rao, Extension Officer (PR&RD), as the evidence cannot be accepted and prosecution failed to prove its case beyond reasonable doubt and he is found not guilty of offence and it is not fit case to file an appeal in High Court; and regarding disciplinary case initiated for his non submission of Annual Property Returns during his service period, the incumbent in his explanation stated that he is ignorant of submission of A.P.R. and he has not purchased any properties and as per search list in his house on 01.3.2008, the A.C.B. officials has certified that he has no properties. Therefore, Government decided to drop further action against the A.O., Sri B.Venkateswarlu, former Extension Officer (PR&RD), O/o. the MPDO., Tiruvuru, Krishna District, in the matter.

12. Accordingly, Government hereby drop further action in C.C. No.05/2009 and Departmental Action against the A.O., Sri B.Venkateswarlu, former Extension Officer (PR&RD), O/o. the MPDO., Tiruvuru, Krishna District and now Extension Officer (PR&RD) (Retd.), Jangareddygudem (M), West Godavari District, in the matter.

13. The Director, Panchayat Rat & Rural Development, A.P., Vijayawada, shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri B.Venkateswarlu, former E.O. (PR&RD), O/o. the MPDO., Tiruvuru,
Krishna District and now Extension Officer (PR&RD) (Retd.),
Jangareddygudem (M), West Godavari District through the Director,
PR&RD., Vijayawada.
The Director, Panchayat Rat & Rural Development, A.P., Vijayawada.
Copy to:
The District Collector (PW), Krishna District.
The District Collector, West Godavari District.
The Director General, A.C.B., A.P., Vijayawada.
The Secretary to Vigilance Commissioner, A.P.V.C., Amaravathi.
The O.S.D. to Hon'ble Minister (PR&RD).
The P.S. to Prl. Secretary (PR&RD).
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER